

2011 State Damage Prevention Program Grants Final Report
Funding Opportunity Number: DTPH56-11-SN-0001
CFDA Number: 20.720

Award Number: DTPH56-11-G-PHPS15

Project Title: Railroad Commission of Texas - State Damage Prevention

Date Submitted: April 30, 2011

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Specific Objective(s) of the Agreement

Under this grant agreement, the Railroad Commission of Texas will address:

- Laws and regulations of the damage prevention progress.

Workscope

Under the terms of this grant agreement, the Grantee will address the following elements listed in 49 USC §60134 through the actions it has specified in its Application.

- Element (7): Enforcement of State damage prevention laws and regulations for all aspects of the damage prevention process, including public education, and the use of civil penalties for violations assessable by the appropriate State authority.

Accomplishments for this period (Item 1 under Article IX, Section 9.01 Progress Report: “A comparison of actual accomplishments to the objectives established for the period.”)

The Railroad Commission's Pipeline Safety Division through its Damage Prevention Section began enforcing State rules for the movement of earth in the vicinity of pipelines in September 2007. During the first twelve months of the program there were approximately 16,715 reports of damages submitted via the Commission's online damage reporting system. Damage reporting for year two resulted in 19,584 reports of damage from September 2008 to August 2009. During year three from September 2009 to August 2010 there were 14,576 reports of damage received. In year four from September 2010 to August 2011 there were 15,220 reports of damage submitted. During the grant period, from April 8, 2011 thru April 7, 2012, the Commission received 14,268 reports of damage for incidents occurring during the time period.

From April 8, 2011 thru April 7, 2012, the Commission reports the following activity levels:

- 16,026 on-line damage reports were filed for incidents occurring during the time period and previous months, with 9,306 for operators and 6,720 for excavators.
- 3,947 alleged violation dockets went to Commissioners' Conference, including 1,590 for operators and 2,357 for excavators, with total penalties collected of about \$1,638,062.
- Also, 110 non-compliance complaints were received for alleged no damage violations.

Quantifiable Metrics/Measures of Effectiveness (Item 2 under Article IX, Section 9.01 Project Report: “Where the output of the project can be quantified, a computation of the cost per unit of output.”)

During the first portion of the grant period from April 8, 2011 through September 30, 2011 the Commission's Information Technology Services division developed and deployed a new module for the Texas Pipeline Damage Prevention reporting application. This new module provides excavators, pipeline operators and the general public the ability to report alleged violations of State damage prevention rules for digging related activities where no damage to the underground facility occurred. This new damage prevention reporting system area went live on September 19, 2011.

The new no-damage and non-compliance reporting features include resources for:

- Filing a non-compliance report or complaint on observed no-damage violation of rules.

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- Submitting an excavator second notice report as specified in rules.
- Supporting workflow categories for staff technical and compliance review.
- Tracking of both reported alleged and final assessed violations.
- Auto generation of correspondence for compliance and enforcement actions.
- Enforcement routing, docket assignment, agreed orders and legal referral process.
- Public external query of non-compliance reports with summary of enforcement status.

During the second portion of the grant period from October 1, 2011 through April 7, 2012, the Commission's Information Technology Services division developed and deployed enhancements to the Texas Pipeline Damage Prevention reporting application. The enhancements extend the capabilities of the software to provide excavators, pipeline operators and the general public the ability to report alleged violations of State damage prevention rules where no damage occurred as well as enhanced reporting to incidents where damage did occur.

The additional features include the following:

- Allowing internal users to edit incident location data.
- Facilitating staff reviews by modifying work list record selection.
- Providing internal users the ability to add non-P5 Operators for report selection.
- Allowing Operators to add attachments of PDF files to their reports and a comment.
- Collecting additional location information on damage report incidents.
- Including additional messages to enhance usability for external users.
- Extending various letter generation capabilities.

In addition, I-T-S has begun development on adding additional data collection capabilities to the damage prevention report in the areas of description of damage, type of facility damaged, and the excavation notification sections of the damage report. These modifications will affect both the direct online and the EDI batch upload report paths of the application.

Issues, Problems or Challenges (Item 3 under Article IX, Section 9.01 Project Report: "The reasons for slippage if established objectives were not met.")

With the original grant application and project budget the Commission anticipated that internal Information Technology staff would have the availability during the grant period to complete the proposed activities for the continuation and enhancement of compliance/enforcement areas for the pipeline damage prevention program. In compiling the mid-year progress report in October it was determined that the limited internal I-T resources needed assistance to complete the grant goals. The Commission determined that this I-T project would have greater success if contract staff were brought on as dedicated staff for the project. In November the Commission requested to move funds from salary and benefit line items to the contractual category.

Although not all items on the I-T needs and wish list in the scope of the grant project were fully completed, significant progress was made certain sections of the pipeline excavation damage reporting system. These enhancements will lead to greater productivity for internal users in their investigation and processing of reported incidents, plus create a user-friendlier interface for the regulated industry.

Final Financial Status Report

Please see separate attachment.

Requests of the AOTR and/or PHMSA

No actions requested at this time.